

~~CONFIDENTIAL~~

The Director of Central Intelligence

Washington, D. C. 20505

MEMORANDUM FOR: Members of the National Foreign Intelligence Board
Chairman, National Intelligence Council
National Intelligence Officers

SUBJECT : Dissenting Positions in National Intelligence
Estimates and Memorandums []

25X1

1. The purpose of this memorandum is to provide guidelines covering the format, the procedures for submission, and the content of dissenting positions in National Intelligence Estimates, Special National Intelligence Estimates, Interagency Intelligence Memorandums and Intelligence Alert Memorandums. I want to assure that all members of the NFIB have the fullest possible opportunity to present alternative judgments in those instances where they find they differ with the DCI's findings set forth in the main text of these estimative papers. Some recent NIE practice, however, indicates -- substance apart -- that there is a certain lack of order and clarity in the way we in NFIB are handling problems of dissent. For this reason, I forward this memorandum of guidance. []

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2. Dissenting views and alternative assessments are important factors in the process of preparing national intelligence; their clear communication to the consumer is essential. Current DCI policy requires that dissenting positions or alternative views appearing in national intelligence be given treatment equal to the main text in length, degree of detail, and rationale. National Intelligence Officers responsible for the preparation of national intelligence have been charged to assure that the resulting text clearly compares the substance of the dissent and the DCI view and the reasons each of the differing views is held. It is often the explanation of the differing views that will be of greatest value to the reader. []

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3. The NIOs have experienced difficulties in carrying out these policies. Dissenting positions tabled during the preparation of national intelligence have ranged from clear, well supported positions to somewhat ambiguous statements. Some dissenting positions

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have covered subjects not addressed in the main text or have gone beyond the scope of the estimate. Some have not been parallel with the main text in degree of detail. Some positions of dissent have nevertheless included judgments agreed to by all agencies, creating ambiguity about which parts of the statement of position were actually dissents. And a few dissents have been more assertions than legitimate, evidence-supported alternative analyses. There have also been problems in the timing of dissents: some have been made known to the NIOs early in the production process, while others have been suddenly tabled just prior to NFIB discussion of the estimate. []

25X1

4. The problems experienced in handling dissenting positions stem in part from the staffing procedures within agencies by which the texts of dissenting positions are developed. They also stem from the desire of NIOs on the one hand to communicate dissenting views and associated main text clearly, and the desire of agency representatives on the other to express dissenting positions as they see fit. The guidelines below are intended to strike a balance between the prerogatives of members of NFIB to decide on the text of their dissenting positions and the obligations of the DCI to clearly communicate to policymakers the findings of the Intelligence Community on important foreign developments. []

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5. Format

a. As has been standard practice throughout the history of NIEs, the main text of national intelligence issuances will contain the findings of the DCI. Dissents of members of the NFIB, including the CIA member, will appear in the same format as the findings of the main text. The DCI will not himself take dissenting opinions.

b. The specific format selected by the NIO for presentation of the findings of the main text and dissenting positions will be coordinated with the dissenting agency. Whether the main text and dissenting positions are presented in separate paragraphs, separate sections, or annexes will depend on the nature and substance of the dissent, and will be determined through consultation between the NIO and representatives of the dissenting agency. []

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6. Procedures

a. The staffing of the first draft of a national intelligence paper should be at a level within agencies that will assure that major substantive problems with the findings are surfaced. For this purpose, the production schedule for the estimate should provide sufficient time for staffing within agencies. To support disagreements with the findings of the main text, agency representatives should provide the NIO with a background paper detailing the basis for their positions and their specific, written proposals for revising the main text.

b. The NIO and agency representatives should agree on the texts of dissenting positions appearing in the second and subsequent drafts of the estimate, which would be subject to later review and approval by dissenting NFIB principals.

c. Prior to the pre-NFIB meeting of representatives on the final draft of the estimate, agency representatives should obtain approval of their principals on the dissenting positions to appear in the estimate. As in the past, the final decisions on the main text and dissenting positions would be made during the deliberations of the NFIB on the estimate.

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7. Content

a. The objective of these guidelines on procedures is to improve the content of dissenting positions. The NIOs and agencies participating in the production of national intelligence should establish procedures to assure that dissenting positions (1) address issues within the scope of the estimate, (2) parallel the main text in substance and degree of detail, and (3) convey clear supporting rationale for the dissenting view.

b. The NIOs, acting for the DCI and working in conjunction with the dissenting agency or agencies, have the editing authority to insure that dissents do so indeed parallel the main text in their format, coverage, and

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presentation; they do not have the authority to change the substantive thrust of the dissents, provided only that those dissents present evidence and analysis and do not attribute positions to the main text which the DCI neither states nor intends.

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8. There will be no counter-dissents.

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9. These guidelines are intended to apply to national intelligence issuances prepared under scheduling procedures short of crash precedence. The handling of dissents will have to be adjusted under compressed procedures to produce national intelligence issuances on an urgent basis.

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10. Your cooperation in implementing these guidelines will be appreciated.

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STANSFIELD TURNER

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TRANSMITTAL SLIP		DATE
		10/2/86
TO: C/NIC		
ROOM NO.	BUILDING	
REMARKS:		
<p style="text-align: center;"> HE - fyi → Di Fals </p>		
FROM: EA/DO/NFAC		
ROOM NO.	BUILDING	EXTENSION

FORM NO. 241
1 FEB 55

REPLACES FORM 36-8
WHICH MAY BE USED.

(G)

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NATIONAL FOREIGN INTELLIGENCE BOARD

RM-80-0787
13 August 1980

NFAC 5707-80

MEMORANDUM FOR: Hal Ford

FROM : Walter Elder
Secretary

SUBJECT : Dissenting Positions in National Intelligence Estimates and
Memorandums

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I have polled the NFIB on the dissents paper, and the responses are
attached. I plan no further action on this subject.

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WALTER ELDER

STAT

Attachments
A/S

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DIA rewrite

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Chairman, National Intelligence Council
National Intelligence Officers

SUBJECT : Dissenting Positions in National Intelligence
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25X1

2. Dissenting views and alternative assessments are important factors in the process of preparing national intelligence; their clear communication to the consumer is essential. Current DCI policy requires that dissenting positions or alternative views appearing in national intelligence be given treatment equal to the main text in length, degree of detail, and rationale. National Intelligence Officers responsible for the preparation of national intelligence have been charged to assure that the text of a estimate and dissenting views clearly show the reasons each of the differing views are held. It is often the explanation of the differing views that will be of greatest value to the reader. []

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3. The NIOs have experienced difficulties in carrying out their responsibilities so I have established some broad guidelines to facilitate communication of dissenting views to the consumer. []

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a. As has been standard practice throughout the history of NIEs, the main text of national intelligence issuances will contain the findings of the DCI. Dissents of members of the NFIB, including the CIA member, will appear in the same format as the findings of the main text. The DCI will not himself take dissenting opinions. []

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b. The specific format selected by the NIO and the dissenting Agency representative will be fully coordinated during the drafting process. []

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c. The NIOs and agencies participating in the production of National Intelligence should insure that dissenting positions (1) address issues within the scope of the estimate (2) parallel the main text in substance and degree of detail, and (3) convey clear supporting rationale for the dissenting view. []

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d. There will be no counter-dissents.

*It entirely
omitted.*

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4. These guidelines are intended to apply to national intelligence issuances prepared under scheduling procedures short of crash precedence. The handling of dissents will have to be adjusted under compressed procedures to produce national intelligence issuances on an urgent basis.

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5. Your cooperation in implementing these guidelines will be appreciated.

STANSFIELD TURNER

THE DIRECTOR OF CENTRAL INTELLIGENCE

WASHINGTON, D.C. 20505

Deputy Director for National Foreign Assessment

NFAC #5056-80

18 July 1980

MEMORANDUM FOR: The Deputy Director of Central Intelligence
THROUGH : Deputy Director for National Foreign Assessment
FROM : Acting Chairman, National Intelligence Council
SUBJECT : Dissenting Positions in National Intelligence
Estimates and Memorandums

I recommend that you concur without changes in the text of the memorandum entitled "Dissenting Positions in NIEs and Memorandums" (NFIB-14.2/8, 10 July 1980).



Harold P. Ford

MEMORANDUM FOR NATIONAL FOREIGN INTELLIGENCE BOARD

NFIB-14.2/8
10 July 1980

MEMORANDUM FOR NATIONAL FOREIGN INTELLIGENCE BOARD

FROM : Walter Elder
Secretary

SUBJECT : Dissenting Positions in National Intelligence Estimates
and Memorandums [redacted]

25X1

1. The attached memorandum from the Director of Central Intelligence is forwarded for your consideration.

NFIB ACTION REQUESTED

2. You are requested to forward your concurrence and comments to the Secretariat by close of business, 21 July 1980. If your comments have not been received by that date or if you have not requested more time for consideration, the Secretary will take it that you have no comments and that you concur in the subject.

[redacted]
WALTER ELDER

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Attachment
As Stated

[redacted]
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The Director of Central Intelligence

Washington, D. C. 20505

*CIA version with
all suggested changes
annotated.*Attachment to
NFIB-14.2/8
10 July 1980MEMORANDUM FOR: Members of the National Foreign Intelligence Board
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*(DIA version says
... 2000... test
of an estimate and the
dissenting views clear
the reasons...)*

25X1

3. The NIOs have experienced difficulties in carrying out these policies. Dissenting positions tabled during the preparation of national intelligence have ranged from clear, well supported positions to somewhat ambiguous statements. Some dissenting positions

*(Dropped in
DIA version)*

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have covered subjects not addressed in the main text or have gone beyond the scope of the estimate. Some have not been parallel with the main text in degree of detail. Some positions of dissent have nevertheless included judgments agreed to by all agencies, creating ambiguity about which parts of the statement of position were actually dissents. And a few dissents have been more assertions than legitimate, evidence-supported alternative analyses. There have also been problems in the timing of dissents: some have been made known to the NIOs early in the production process, while others have been suddenly tabled just prior to NFIB discussion of the estimate.

4. The problems experienced in handling dissenting positions stem in part from the staffing procedures within agencies by which the texts of dissenting positions are developed. They also stem from the desire of NIOs on the one hand to communicate dissenting views and associated main text clearly, and the desire of agency representatives on the other to express dissenting positions as they see fit. The guidelines below are intended to strike a balance between the prerogatives of members of NFIB to decide on the text of their dissenting positions and the obligations of the DCI to clearly communicate to policymakers the findings of the Intelligence Community on important foreign developments.

5. Format and Procedures

a. As has been standard practice throughout the history of NIEs, the main text of national intelligence issuances will contain the findings of the DCI. Dissents of members of the NFIB, including the CIA member, will appear in the same format as the findings of the main text. The DCI will not himself take dissenting opinions.

b. The specific format selected by the NIO for presentation of the findings of the main text and dissenting positions will be coordinated with the dissenting agency. Whether the main text and dissenting positions are presented in separate paragraphs, separate sections, or annexes will depend on the nature and substance of the dissent, and will be determined through consultation between the NIO and representatives of the dissenting agency.

Material marked
is omitted in
DIA version.

State wants --
last sentence of
PH to read:

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"The guidelines
below are
intended to
~~provide~~
~~the NIOs~~
members to
decide on
the DCI in clearly
communicating to
policy makers the
findings of the
Intelligence Comm-
unity on important
foreign developments."

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DIA version:

"The specific format
selected by the NIO
~~will be~~
will be ~~coor-~~ coord-
inated during the
drafting process.
2nd sentence dropped

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State suggests we
provide for footnotes
referencing dissents
spelled out in earlier
estimates.

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~~Procedures~~

delete a. The staffing of the first draft of a national intelligence paper should be at a level within agencies that will assure that major substantive problems with the findings are surfaced. For this purpose, *keep* the production schedule for the estimate should provide sufficient time for staffing within agencies. To support disagreements *delete* with the findings of the main text, agency representatives should provide the NIO with a background paper detailing the basis for their positions and their specific, written proposals for revising the main text.

keep b. The NIO and agency representatives should agree on the texts of dissenting positions appearing in the second and subsequent drafts of the estimate, which would be subject to later review and approval by dissenting NFIB principals.

keep c. Prior to the pre-NFIB meeting of representatives on the final draft of the estimate, agency representatives should obtain approval of their principals on the dissenting positions to appear in the estimate. As in the past, the final decisions on the main text and dissenting positions would be made during the deliberations of the NFIB on the estimate.

Paragraph omitted entirely in DIA version.

Treasury objects to reqmt for background paper + specific written proposals for revision at time of reps' meeting on 1st draft.

Treasury objects to reqmt for agreement on texts of dissents in 2nd draft.

(Treasury agrees with sub-para. c)

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7. Content

keep a. The objective of these guidelines ~~[on procedures]~~ is to improve the content of dissenting positions. The NIOs *state* and agencies participating in the production of national intelligence should establish procedures to assure that dissenting positions (1) address issues within the scope of the estimate, (2) parallel the main text in substance and degree of detail, and (3) convey clear supporting rationale for the dissenting view.

keep b. The NIOs, acting for the DCI and working in conjunction with the dissenting agency or agencies, have the editing authority to insure that dissents do so indeed parallel the main text in their format, coverage, and

DIA version omits marked material.

State version would change "establish procedures to assure" to: "share the responsibility for assuring"

DIA version omits sub-paragraph completely;

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Key presentation; they do not have the authority to change the substantive thrust of the dissents, provided only that those dissents present evidence and analysis and do not attribute positions to the main text which the DCI neither states nor intends. [redacted]

8. There will be no counter-dissents. [redacted]

9. These guidelines are intended to apply to national intelligence issuances prepared under scheduling procedures short of crash precedence. The handling of dissents will have to be adjusted under compressed procedures to produce national intelligence issuances on an urgent basis. [redacted]

10. Your cooperation in implementing these guidelines will be appreciated. [redacted]

State version would read: "In order to achieve an orderly and timely production process, the NSC, acting for the DCI, is authorized to set a deadline prior to the NSC meeting for Agency submission of texts of dissents approved by the principals, together with the appropriate background."

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